

## REMARKS

### **Status of the Application**

By this Amendment, Applicants hereby amend claim 1 by entering the subject matter of claim 6, and cancel claim 6. Applicant respectfully requests that the amendment be entered as the amendment does not add matter not previously before the Examiner, and thus does not require additional search and/or consideration.

Upon entry of this Amendment, claims 1-5 and 7-18 will be pending in the application.

### **Claim Rejections - 35 USC § 102 - Examiner's Response to Arguments**

*Claims 1-18 are rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Crockett. Applicant respectfully traverses these rejections.*

#### ***Claim 1***

The Examiner cites Crockett as allegedly disclosing all of the features of the independent claim. Applicants respectfully submit that the claimed invention is not disclosed or suggested by the applied reference.

Independent claim 1 now recites, inter alia, “providing location information of said at least one user, wherein said location information is a fusion of multiple location measurements or multiple proximity observations improving the location precision and reliability”. The Examiner maintains that paragraphs [0100] and [0209]-[0214] of Crockett discloses the above recited features. Applicants disagree with the Examiner's position.

Paragraph [0100] of Crockett discloses remote location devices 11 that have on-board memory and logic *allowing storage of a history of 200 or more locations and times*. Thus, paragraph [0100] of Crockett merely discloses the storage of locations and times, but does not disclose the fusion of the 200 or more locations and times.

Paragraphs [0209]-[0214] of Crockett discloses examples of intelligent location algorithms available for the remote location device 11. The first example of intelligent location algorithms in Crockett is minimum distance sampling, where the current location is recorded if and only if the distance from the most recently recorded location to the current location is at least as much as some prescribed distance. (See paragraph [0209]). The minimum distance sampling of Crockett, however, merely discloses an algorithm to store individual locations based on a minimum distance, but does not disclose the “fusion of multiple location measurements or multiple proximity observations”.

The second example of intelligent location algorithms in Crockett is fixed time interval sampling, where the current location is recorded if and only if a prescribed amount of time has passed since the most recently recorded location. (See paragraph [0210]). The fixed time interval sampling of Crockett, however, merely discloses an algorithm to store individual locations based on a fixed time interval, but does not disclose the “fusion of multiple location measurements or multiple proximity observations” as recited in the claimed invention.

The third example of intelligent location algorithms in Crockett is velocity-determined sampling, where the current location is recorded based on the velocity. (See paragraph [0211]). Thus, the velocity-determined sampling of Crockett merely discloses an algorithm to store individual locations based on the velocity, but does not disclose the “fusion of multiple location measurements or multiple proximity observations” as recited in the claimed invention.

Furthermore, while Crockett focuses on different algorithms to store locations, Crockett only discloses “delivering location information on demand” (see paragraph [0017]) but does not disclose a “fusion” of the stored locations for “improving the location precision and reliability”.

Thus, Crockett does not disclose or recite, “providing location information of said at least one user, wherein said location information is a fusion of multiple location measurements or multiple proximity observations improving the location precision and reliability” as recited in the claimed invention. Accordingly, claims 2-5, 7, 8, and 18 should be patentable at least by virtue of their respective dependencies from claim 1.

***Claim 8***

Claim 8 recites, inter alia, “***specifying the behavior*** of the locator entity or inquirer’s grants by an authenticated and authorized party”. The Examiner maintains that paragraph [0106] of Crockett discloses the above recited features. Applicants disagree with the Examiner’s position.

In Crockett, a client may access the location system service 19 through three modes and in each mode the client is identified through account number and password. (See paragraphs [0102]-[0106]). Through the same access modes, the client may set parameters controlling the intelligent agent 18 to record at specified fixed time intervals or when movement exceeds a specified distance, named location information, etc. (See paragraph [0106]). In the present invention though, the authenticated and authorized party ***specifies the behavior*** of the locator entity or inquirer’s grant. Setting the parameters to control the intelligent agent 18 of Crockett, however, does not correspond to “***specifying the behavior*** of the locator entity or inquirer’s grants” as recited in the claimed invention. Assuming arguendo, that the intelligent agent 18 in Crockett corresponds to the locator entity or inquirer’s grants in the present invention, setting the parameters in Crockett, at best, merely instructs the intelligent agent when to record, but clearly does not specify the behavior of the locator entity or inquirer’s grants. Thus, Crockett does not

disclose or teach, “*specifying the behavior* of the locator entity or inquirer’s grants” as recited in the claimed invention.

***Claim 9***

Independent claim 9 recites, inter alia, “comprising means for initiating tasks or services *dependent on the derived location information*”. The Examiner maintains that paragraphs [0205]-[0214] of Crockett discloses the above recited features. Applicants disagree with the Examiner’s position.

Paragraphs [0205]-[0214] of Crockett discloses an Intelligent Location Agent which use intelligent algorithms to determine which locations to store in on-board memory. The algorithms as disclosed in Crockett, determines which location to store based on minimum distance sampling, fixed time interval sampling, or velocity-determined sampling. Assuming that the Examiner intended the intelligent algorithms in Crockett to correspond to the “means for initiating tasks or services”, the intelligent algorithms themselves determine which locations to store independent of the actual location. Furthermore, the minimum distance sampling algorithm only records the current location if and only *if the distance from the most recently recorded location to the current location* is at least as much as some prescribed distance. (See paragraph [0209]). Thus, in Crockett, the determining factor to store the current location in the minimum distance sampling algorithm is the “distance” which is independent of the “derived location information” as recited in the claimed invention. Accordingly, claims 10-14 should be patentable at least by virtue of their respective dependency from claim 9.

***Claims 16 and 17***

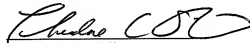
Claims 16 and 17 are related apparatus claims, and for analogous reasons that claims 1 and 9 are patentable over the prior art, claims 16 and 17 are also not anticipated and should be patentable over the cited references.

**Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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